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PROVISIONAL APPLICATION COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION under 37 CFR 1.53 (c).

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INVENTOR(S)/APPLICANT(S)					
LAST NAME	FIRST NAME	MIDDLE INITIAL	RESIDENCE (CITY AND EITHER STATE OR FOREIGN COUNTRY)		
CHRISTENSEN	Tim	W.	Ithaca, New York		
TITLE OF THE INVENTION (280 characters)					
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<input checked="" type="checkbox"/> Specification	Number of Pages	18	<input type="checkbox"/> Applicant claims "small entity" status.		
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<input checked="" type="checkbox"/> A check or money order is enclosed to cover the Provisional filing fees (\$160.00)/(\$80.00)				PROVISIONAL FILING FEE AMOUNT (\$)	160.00
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☐ Additional inventors are being named on separately numbered sheets attached hereto.

PROVISIONAL APPLICATION FILING ONLY

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U.S. PROVISIONAL PATENT APPLICATION

Inventor: Tim W. CHRISTENSEN

Invention: METHODS FOR OBTAINING WHOLE-ORGANISM THERAPEUTIC
AGENTS USING NEAR OR SUPERCRITICAL CARBON DIOXIDE

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SPECIFICATION

**METHODS FOR OBTAINING WHOLE-ORGANISM THERAPEUTIC
AGENTS USING NEAR OR SUPER CRITICAL CARBON DIOXIDE**

FIELD OF THE INVENTION

5 The present invention relates generally to methods whereby whole-
organism therapeutic agents may be obtained by use of near or super
critical carbon dioxide.

BACKGROUND AND SUMMARY OF THE INVENTION¹

10 Vaccines represent one of the seminal developments in
humankind's ongoing battle against disease. Vaccination is still the best
defense against existing, novel, and manipulated pathogens. The
earliest whole-cell vaccines were prepared by inactivating a given
pathogen using heat or chemical treatments. Whole-cell vaccines have
significant advantages over attenuated and subunit vaccines. Thermal or
chemical inactivation of the pathogen is simple and inexpensive, and
15 provides rapid access to a vaccine. Both subunit vaccines and vaccines
based on attenuated strains require considerable time and expense
before they can be put to use. Despite the advantages of chemical
inactivation, chemically inactivated vaccines sometimes fail to elicit robust
and protective immune responses [2-4]. The addition of adjuvants to
20 these preparations may boost the immune response, but immunity is still
insufficient in many cases and may require frequent boosting.

Many complications associated with chemically inactivated
vaccines arise from the simple fact that inactivation alters the chemical

¹ The entirety of each publication cited below is expressly incorporated hereinto by
reference.

properties of key antigens required to elicit a protective immune response. The development of a rapid, inexpensive, and effective method to inactivate a pathogen while maintaining the integrity of its surface antigens would represent a powerful new tool in vaccine development.

5 Recent work has effectively demonstrated that microbes inactivated by a non-denaturing method do, in fact, elicit more robust immune responses than chemically inactivated pathogens [5]. "Ghosts," as they are known colloquially, are the empty shells of microbes that have been inactivated by the controlled expression of the PhiX174 lysis gene
10 "E" [6]. Essentially the cytoplasmic contents of the cells are expelled via the transmembrane tunnel formed by the lysis protein [6]. Vaccines prepared through this genetic manipulation have been shown to be superior to chemically inactivated pathogens, most likely due to the non-denaturing inactivation procedure [3]. Moreover, it is hypothesized that
15 the more robust immune response is not simply a function of individual proteins, but also is related to the method of presentation.

Cell walls remain largely intact, native surface antigens are preserved, and bioadhesive properties are likely maintained in ghost vaccine preparations. All of these characteristics endow ghost vaccines
20 with inherent adjuvant properties that contribute to protective immune responses [3, 7-17]. The usefulness of the bacterial ghost system is extended by inactivating bacteria expressing antigens that are derived from other pathogens. The end result is a vaccine with inherent adjuvant properties that is protective against any number of desired bacterial, viral,
25 protozoan, and fungal pathogens [12, 13, 15, 16, 18]. There are concerns about the endotoxicity of Lipid A and Lipopolysaccharide (LPS) in these whole cell vaccines. However, it has been demonstrated that endotoxicity is not a real limit to the use of ghost vaccines [17].

Despite its promise, the ghost vaccine technology exhibits a number of drawbacks. The first of these concerns centers on safety. The lysis system employed typically results in only a 4 log reduction in colony forming units (CFUs) [5]. The remaining organisms must be inactivated by further processing. This may or may not be the case. The ghost system uses an additional kill mechanism to inactivate the remaining survivors [5]. This layering of genetic systems in the ghost technology is a cause for additional concern. Because these genetic systems are maintained within the chosen cells by selection on various antibiotic containing media [19, 20], lateral transfer of antibiotic resistance to other pathogens within an individual is a possibility [21].

In addition to safety concerns, the ghost system only works with Gram-negative bacteria. Furthermore, genetic manipulation of additional serotypes may be required to generate a broadly protective vaccine. Therefore, the applicability of the ghost technology is limited to the gram-negative bacteria that are tractable to genetic manipulation. These limitations preclude a significant number of pathogens, notably: *Staphylococcus aureus*, *Staphylococcus epidermidis*, *Streptococcus pneumoniae*, *Streptococcus agalactiae*, *Streptococcus pyogenes*, *Enterococcus sp.*, *Bacillus anthracis*, *Bacillus cereus*, *Lactobacillus sp.*, *Listeria monocytogenes*, *Nocardia sp.*, *Rhodococcus equi*, *Erysipelothrix rhusiopathiae*, *Corynebacterium diphtheriae*, *Propionibacterium acnes*, *Actinomyces sp.*, *Clostridium botulinum*, *Clostridium difficile*, *Clostridium perfringens*, *Clostridium tetani*, and *Peptostreptococcus sp.* The applicability of ghost vaccine technologies is further limited by the method's failure to inactivate spores, which are insensitive to induction of lysis genes due to their dormant nature.

Whole-cell vaccines based on the ghost methodology are superior to chemically inactivated pathogens, but they cannot be produced rapidly. Even if the microbe is previously known, considerable time and expense are required to generate a new ghost vaccine for a given pathogen,
5 especially for novel or genetically intractable pathogens.

The need for new and broadly applicable inactivation technologies is exacerbated by the very nature of biological weapons. The pathogens that are, or may be employed as bio-warfare and bio-terror agents such as Anthrax, Tularemia, Botulism, Plague, Epsilon toxin, Q fever,
10 enterotoxin B, Typhus fever, Melioidosis, and Brucellosis are not usually endemic diseases in humans. As such there is very little, if any, commercial advantage to generating vaccines using expensive and time-consuming techniques. An appealing alternative that would speed the production of such vaccines and enable quick response to emerging
15 serotypes is an inactivation technology that in and of itself generates high quality vaccines. Bacterial inactivation by supercritical CO₂ may represent such a technology. The technology for using supercritical CO₂ is well-known and has been adapted to large industrial applications, including the extraction of natural compounds from plant materials [22]
20 and detoxification of contaminated soil [23]. Supercritical CO₂ applications have also found their way into medical circles as a method for bone de-lipidation [24], drug manufacture [25], and sterilization among others [1]. The first attempts to use supercritical CO₂ as a sterilant resulted in inadequate levels of inactivation [26].

25 Recently, in U.S. Patent No. 6,149,864 to Dillow et al (the entire content of which is expressly incorporated hereinto by reference), the use of supercritical CO₂ was disclosed as an alternative to existing technologies for sterilizing a wide range of products for the healthcare

industry with little or no adverse effects on the material treated.

Specifically, the Dillow '864 patent disclosed the inactivation of a wide range of vegetative microbial cells using supercritical carbon dioxide with agitation and pressure cycling. However, only one spore-forming
5 bacterium was investigated in the Dillow '864 patent, specifically, *B. cereus*. No disclosure appears in Dillow '864 patent regarding the efficacy of the therein suggested techniques using currently accepted bio-indicator standards used to judge sterilization (i.e., *B. stearothermophilus* and *B. subtilis*). Subsequently, however, other investigators achieved only a 3.5
10 log reduction in *B. subtilis* spores using the method disclosed in the Dillow et al '864 patent [27].

In addition to bacterial inactivation, viral inactivation is realized using supercritical CO₂ [28]. Moreover it has been shown that sterilization by supercritical CO₂ does not affect the properties of a
15 biodegradable polymer (PLGA) and leaves bacterial cells intact [1].

It would therefore be desirable if methods could be provided whereby organisms are inactivated utilizing near or supercritical CO₂ for the purpose of generating whole-cell therapeutic agents. It is towards fulfilling such a need that the present invention is directed.

20 In general, the methods of the present invention result in whole-organism therapeutic agents by treatment of the organisms using near or super critical carbon dioxide. In preferred embodiments, the methods of this invention treat organisms with near or supercritical CO₂ at pressures between about 1000 to about 3500 psi, at temperatures in the range of
25 between about 25°C to 60°C, and times ranging from 20 minutes to 12 hours. In especially preferred embodiments, the present invention utilizes the techniques disclosed in commonly owned U.S. Provisional Application

Serial No. 60/---,--- filed even date herewith (Atty. Dkt. No. 2805-3), the entire content of which is expressly incorporated hereinto by reference.

5 These and other aspects and advantages will become more apparent after careful consideration is given to the following detailed description of the preferred exemplary embodiments thereof.

BRIEF DESCRIPTION OF THE ACCOMPANYING DRAWINGS

Reference will hereinafter be made to the accompanying drawings, wherein like reference numerals throughout the various FIGURES denote like structural elements, and wherein;

10 FIGURE 1 is a schematic view of a presently preferred sterilization apparatus in accordance with the present invention;

FIGURE 2 is a detailed schematic view of the pressure vessel employed in the apparatus of FIGURE1;

15 FIGURES 3A-3F are scanning electron microscope (SEM) micrographs of *S. aureus*, *P. aeruginosa* and *E. coli* spores before and after inactivation with supercritical CO₂ in accordance with Example 2 below; and

20 FIGURES 4A and 4B are respectively a SEM micrograph of inactivated *B. subtilis* spores and vegetative cells, and a comparison of total protein profiles of untreated vs. supercritical CO₂ inactivated *B. subtilis* spores and vegetative cells (Comassie stained 12% SDS-page gel of total protein extracted) in accordance with Example 3 below.

DETAILED DESCRIPTION OF THE INVENTION

As noted previously, the present invention results in the inactivation of organisms for the purposes of generating whole-cell therapeutic agents. These organisms include bacteria, viruses, fungi, protozoa, and
5 helminths. The method and apparatus provided utilizes treatment with near or super critical CO₂.

A wide range of organisms can be inactivated using the methods of the present invention, including for example, gram-positive bacteria, gram-negative bacteria, fungi, protozoa, viruses, protozoa, and helminths.
10 Given the low temperatures and low pressures, inactivation by supercritical CO₂ using the method of the present invention is especially useful to generate whole-cell therapeutics while maintaining the properties of thermally labile and/or hydrolytically labile materials.

Given the existing literature and corollaries to the ghost technology
15 for vaccine production it is possible to generate some predictions about the properties of supercritical CO₂ inactivated microbes as vaccines (Table 1).

Table 1

Comparison of formalin, ghost, and supercritical CO2 inactivation technologies for key aspects in applicability to production of high quality vaccine preparations

5

	Method of Inactivation		
	Formalin	Ghost	Supercritical CO2
Speed of development	+	-	+
Non-denaturing	-	+	+
>6 Log reduction in CFUs	+	-	+
Inactivation: Gram negative bacteria	+	+/-	+
Gram positive bacteria	+	-	+
Viruses	+	-	+
Maintains structural properties of bacterium	-	+	+
Adjuvant properties	-	+	+
No chemical residues	-	+	+
Lacks antibiotic resistance genes	+	-	+

10 As noted previously, the present invention contemplates subjecting whole organisms or microbes to pressure and temperature conditions in the presence of an organic additive-containing supercritical carbon dioxide sufficient to inactivate the microbes and to thereby achieve whole microbe cell walls which are "empty" (i.e., have a lysis hole when viewed by scanning electron microscope (SEM)).

15 The organic additives employed in the present invention most preferably include alkanecarboxylic acids and/or alkanepercarboxylic

acids, each of which may optionally be substituted at the alpha carbon with one or more electron-withdrawing substituents, such as halogen, oxygen and nitrogen groups. Particularly preferred species of organic additives employed in the practice of the present invention include acetic acid (AcA), peracetic acid (PAA) and trifluoroacetic acid (TFA). One particularly preferred liquid additive that may be employed in the practice of the present invention is commercially available Sporeclenz[®] sterilant which is a mixture of acetic acid with hydrogen peroxide and peracetic acid.

The organic additive is employed in an effective amount of at least about 0.01 vol.% and greater, based on the total volume of the carbon dioxide. The amount of organic additive will be dependent upon the particular additive that is employed. Thus, for example, peracetic acid may be present in relatively small amounts of about 0.5 vol.% and greater, while acetic acid may need to be employed in amount of about 1.0 vol.% and greater. Thus, a range of at least about 0.01 vol.% and greater, up to about 2.0 vol.% will typically be needed in order to achieve an enhancing effect in combination with carbon dioxide.

One presently preferred embodiment of an apparatus 10 according to the present invention is depicted in accompanying FIGURES 1 and 2. In this regard, it can be seen that the apparatus includes a standard compressed gas cylinder 12 containing carbon dioxide, and a standard air compressor 14 used in operative association with a carbon dioxide booster 16 (e.g., Hasket Booster AGT 7/30). Alternatively, the air compressor 14 and booster 16 can be replaced with a single carbon dioxide compressor.

An additive cycle is also provided by means of a series of an inlet port 18 which allows additive contained in reservoir 20 to be added to a pressure vessel 22 through valve 24 and additive line 26. The carbon dioxide is introduced to the pressure vessel 22 from header line 27 via valve 28 and CO₂ supply line 30. A filter 32 (e.g., a 0.5 micron filter) is provided in the supply line 30 to filter the supplied CO₂. A pressure gauge 34 is provided downstream of CO₂ shut-off valve 36 in supply header 27 to allow the pressure to be visually monitored. A check valve 38 is provided in the line 27 upstream of the valve 36 to prevent reverse fluid flow into the booster 16. In order to prevent an overpressure condition existing in line 27, a pressure relief valve 39 may be provided.

An outlet line 40 allows the pressure vessel 22 to be depressurized. In this regard, the depressurized fluid exits the vessel 22 via line 40, is filtered by filter unit 42 and then is directed to separator 44 where filtered CO₂ gas may be exhausted via line 48, and liquid additive collected via line 50 for possible reuse. Valves 52, 54 may be provided in lines 46 and 27, respectively, to allow fluid isolation of upstream components.

The reactor vessel 22 is most preferably constructed of stainless steel (e.g., 316 gauge stainless steel) and has a total internal volume sufficient to accommodate the materials being sterilized either on a laboratory or commercial scale. For example, in laboratory studies, an internal volume of 600 mL (e.g., approximately 8 inches long by about 2.5 inches in diameter) was deemed adequate. As is perhaps more clearly shown in FIGURE 2, the pressure vessel 22 includes a vibrator 60, a temperature control unit 62, and a mechanical stirring system most preferably comprised of an impeller 64 and a magnetic driver 66. The reactor vessel 22 contains a conventional basket (not shown) which is

also preferably constructed of 316 gauge stainless steel. The basket serves to hold the items to be sterilized as well as to protect the impeller 64 and direct the inactivation fluid in a predetermined manner.

5 The reactor vessel 22 may be operated under constant pressure or continual pressurization and depressurization (pressure cycling) conditions without material losses due to splashing or turbulence, and without contamination of pressure lines via back diffusion. The valves 24, 28 and 52 allow the vessel 22 to be isolated and removed easily from the other components of the apparatus 10. The top 68 of the pressure vessel
10 22 may be removed when depressurized to allow access to the vessel's interior.

In use, the microbial material to be sterilized is introduced into the interior space of the pressure vessel 22 along with any initial portion of liquid organic additive from reservoir 20. The temperature control unit 62
15 is operated so as to set the desired initial temperature for sterilization. The vessel 22 may then be pre-equilibrated with carbon dioxide from gas cylinder 12 at atmospheric pressure, following which the magnetic driver 66 is operated so as to activate the impeller 64. The pressure vessel 22 may thereafter be pressurized to a desired pressure by introducing
20 additional carbon dioxide gas from cylinder 12 via the air compressor 14 linked to booster 16.

In order to effect a pressure cycling of the vessel 22, an amount of carbon dioxide may be released therefrom via depressurization line by momentarily opening valve 52 sufficient to partially reduce pressure within
25 the vessel 22. Additive may be introduced into the vessel 22 for any given pressure cycle by opening valve 24 which allows liquid additive to flow from reservoir 20 into inlet port 18. It will be understood that the additives

may be introduced prior to pressurization and/or during pressure cycling. Prior to pressurization, additives are introduced directly into the reactor vessel 22 prior to sealing and/or via the additive port 18. The additives are most preferably introduced during the cycling stages by measured
5 addition to the additive port 18 at ambient pressures. The port 18 is subsequently sealed and the additive chamber is pressurized so that the additive may enter the reactor vessel 22 without altering the internal pressure. The exact mechanism of addition may be modified such that the process is more efficient and/or convenient.

10 Following additive introduction, the vessel 22 may be repressurized to a desired pressure following introduction of the liquid additive therein. Such depressurization/repressurization with introduction of liquid additive may be repeated for any number of cycles that may be desired.

15 Most preferably, periodic agitation to the contents of vessel 22 is effected using vibrator 60 through entire depressurization/repressurization cycles. Intermittent or continuous agitation of the reactor vessel and its contents is performed by vibrating the reactor vessel during sterilization. Agitation enhances mass transfer of the carbon dioxide and additives by eliminating voids in the fluid such that the microbial material being
20 inactivated comes into more complete contact with fluid. The specific means of agitation may be adjusted to accommodate the particular apparatus employed and to optimize sterilization times, temperatures, and pressure cycles. When treatment is complete, the vessel 22 is depressurized, the magnetic drive 66 is stopped thereby stopping the
25 stirring impeller 64, and the thus inactivated microbial material removed by opening top 68 of vessel 22.

The present invention will be further understood after careful consideration is given to the following Examples.

Example 1 - Inactivation of bacteria by treatment with supercritical CO₂

5 The process described above and in copending U.S. Provisional Appliation 60/---,--- filed even date herewith (Atty.Dkt. 2805-3) was followed so as inactivate resistant spore forms of *B. subtilis* and *B. stearothermophilus*, with greater than 6 log reductions in under 2 hours.

10 **Example 2 - Inactivation of bacteria by treatment with supercritical CO₂**

 Maintaining the natural presentation environment for a given antigen generally enhances the protective qualities of a given vaccine. Ghost vaccine preparations result in empty bacterial shells that are intact save for a lysis hole when viewed by scanning electron microscopy
15 (SEM)[5, 13, 14]. *Staphylococcus aureus* and *Pseudomonas aeruginosa* were inactivated by treatment with supercritical CO₂ at 40⁰C and 2973-1500 psi for a total of 6 cycles over 4 hours. *Eschericia coli* was inactivated by treatment with supercritical CO₂ at 34⁰C and 2973-1500 psi for a total of 3 cycles over 0.5 hours. As shown by the SEM micrographs
20 of Figures 3A-3F, like the ghost particles, microbes remain intact when inactivated by supercritical CO₂.

Example 3 - Preparation and protein analysis of *B. subtilis* vaccine

 Using the equipment and procedure in Figure 1 and outlined
25 above, 1 mL spore/vegetative preparations of *B. subtilis* of greater than 10⁶ CFU/mL was placed into 16mm test tubes in a stainless steel basket. Acetic acid (6 mL) was transferred by syringe onto the surface of a cotton ball placed in basket, and the basket then loaded into the 600 mL reactor

vessel. The reactor vessel was heated to 50°C and equilibrated with CO₂ at atmospheric pressure. The stirring and agitation mechanisms were activated and vessel pressurized to 3000 psi for 40 minutes. Agitation is carried out for 5 minutes. The CO₂ pressure was then allowed to drop to
5 1500 psi at a rate of 300psi / minute.

Once the vessel is de-pressurized, 4 mL acetic acid is added at ambient pressure to additive loop. The additive loop is sealed and pressurized to 3000 psi. The vessel is then re-pressurized through the additive loop to 3000 psi such that acetic acid is carried into vessel.

10 The pressurization/stirring/agitation/depressurization/additive addition process was repeated a total of 3 times. After the third cycle, a series of three flushing cycles to remove the additive was performed by pressurizing and de-pressurizing the reactor vessel using CO₂. The stirring was stopped and the basket was removed from the reactor vessel.
15 Quantitative analysis of the remaining CFU count vs. untreated control is enumerated through serial dilutions and colony counts.

The impact of the method according to the present invention was evaluated by performing SEM analysis and protein profiling. Specifically, it was observed from Figure 4A that cell walls remain intact. Moreover,
20 extracts of *B. subtilis* spores both untreated and treated with supercritical CO₂ are found to be virtually identical. In addition, there appears to be no major depletion of proteins from the bacteria as total protein levels are similar as shown in Figure 4B.

Thus, experiments to date support the likelihood that bacteria
25 inactivated by supercritical CO₂ have potential as high quality whole-cell vaccine preparations. This is supported by the observation that significant log reductions in CFUs are achieved for a wide range of bacteria while the

morphology of bacteria remains intact, proteins are not significantly degraded, bio-degradable polymers are unaffected, and the process is easily scaled up.

5

10

While the invention has been described in connection with what is presently considered to be the most practical and preferred embodiment, it is to be understood that the invention is not to be limited to the disclosed embodiment, but on the contrary, is intended to cover various modifications and equivalent arrangements included within the spirit and scope of the present invention.

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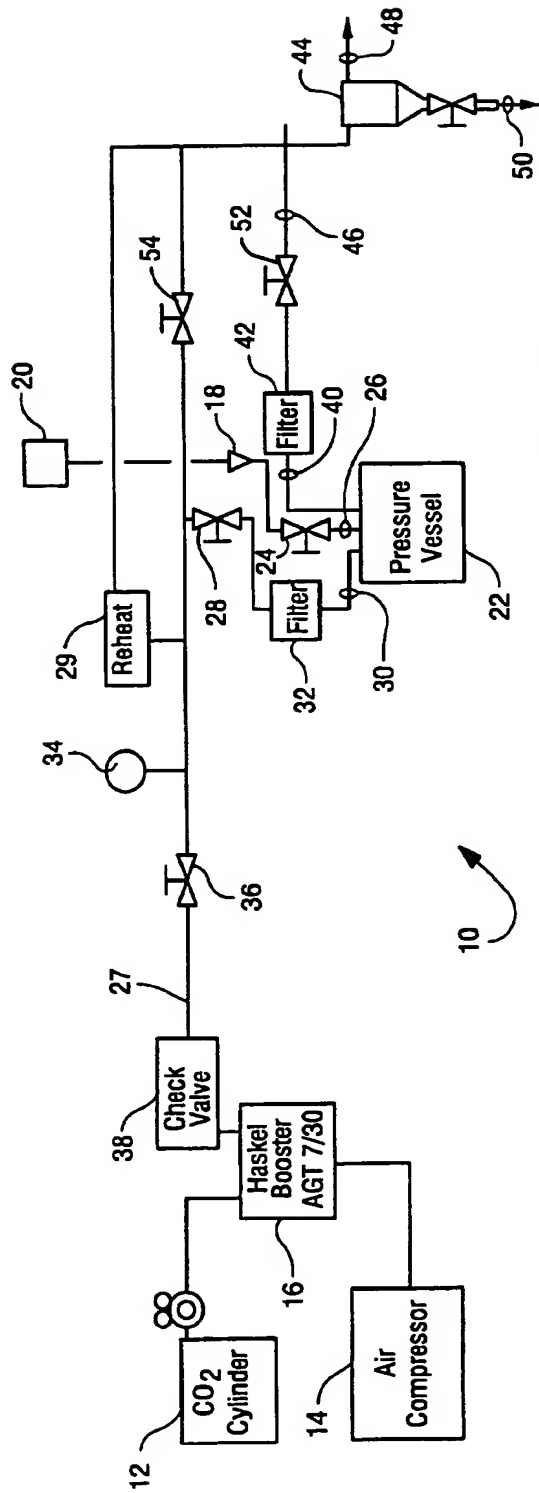


Fig. 1

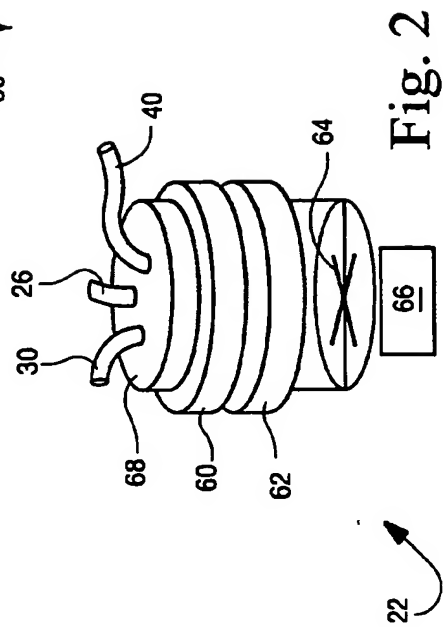


Fig. 2

Before

Aft r

Fig. 3B



S. aureus



Fig. 3D

Fig. 3C

P. aeruginosa

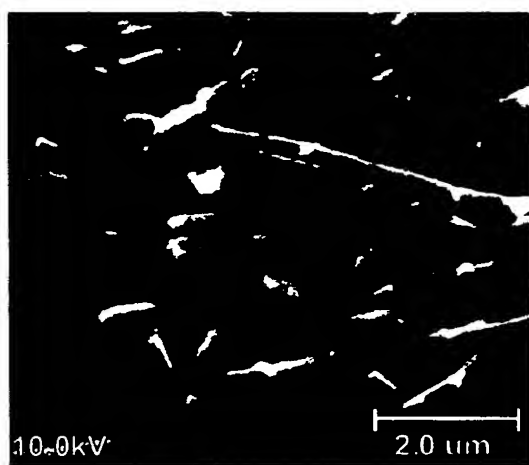


Fig. 3F

Fig. 3E

E. coli

Fig. 4A



B. subtilis

Fig. 4B

